

## **TOWN OF LOXAHATCHEE GROVES**

### **ORDINANCE NO. 2015-08**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING ORDINANCES 2014-08 AND 2015-05, THROUGH WHICH THE TOWN COUNCIL IMPOSED A MORATORIUM ON THE PROCESSING AND REVIEW OF APPLICATIONS FOR AMENDMENTS TO THE TOWN'S COMPREHENSIVE PLAN, INCLUDING FUTURE LAND USE MAP AMENDMENTS AND TEXT AMENDMENTS, RELATING TO COMMERCIAL LAND USES ON PROPERTIES FRONTING ON OKEECHOBEE BOULEVARD WITHIN THE CORPORATE BOUNDARIES OF THE TOWN UNTIL DECEMBER 31, 2015, TO EXTEND THE MORATORIUM UNTIL JUNE 30, 2016 TO ENABLE THE ADOPTION OF APPROPRIATE AMENDMENTS TO THE TOWN'S COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on February 3, 2015, the Town Council adopted Ordinance 2014-08, which imposed a moratorium until May 31, 2015, on the receipt and processing of applications for Land Use Applications and Text Amendments to the Town's Comprehensive Plan relating to commercial land uses on property fronting Okeechobee Boulevard to provide the Town with time to review the Comprehensive Plan; and,

**WHEREAS**, since the adoption of Ordinance 2014-08, Town Administration, the Town Planner, and the Town Planning and Zoning Board (Land Planning Agency (LPA)), have worked diligently on reviewing the Town's Comprehensive Plan relating to Okeechobee; and,

**WHEREAS**, at its May 19, 2015, meeting, the Town Council received proposed amendments to the Town Comprehensive Plan relating to Okeechobee Boulevard, but required more time to evaluate amendment options and to complete the adoption process; and,

**WHEREAS**, on July 7, 2016, in order to provide more time for the Town's Management and Planning Staff, as well as the Town's Planning and Zoning Board and the community, more

time to review these issues which are so vital and critical to the future of the Town, the Town Council enacted Ordinance 2015-05 to amend Ordinance 2014-08 to extend the moratorium to December 31, 2015; and,

**WHEREAS**, since July 2015, there have been several meetings of the Town's Planning and Zoning Board to review development issues along Okeechobee Boulevard, and Town Management and Planning Staff have continued to review these important issues; and,

**WHEREAS**, at its October 20, 2015 meeting, the Town Council received revised proposed amendments to the Town Comprehensive Plan relating to Okeechobee Boulevard; however, the Town Council did not believe that such proposals warranted transmittal and adoption, and felt that additional direct input from the stakeholders in the process, including the property owners along Okeechobee Boulevard, was necessary in order to ensure a proper balance of permitted development along Okeechobee Boulevard with the vision of the Town to remain rural and avoid unnecessary expansion of Okeechobee Boulevard through the Town; and,

**WHEREAS**, as a result, more time is needed to continue to evaluate amendment options, including to provide for additional direct input from property owners along Okeechobee Boulevard, and to complete the adoption process, and a community workshop is scheduled for December 5, 2015; and,

**WHEREAS**, the Town Council believes that it is in the best interest of the Town, and its residents, to extend the moratorium to provide additional time to review the Town's Comprehensive Plan and for the adoption of amendments to the Plan, in order to enhance the Plan's consistency with the Town's historical conditions and vision of remaining a rural area.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, THAT:**

**Section 1.** The foregoing "WHEREAS" clauses, as well as those in Ordinances 2014-08 and 2015-05, are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

**Section 2.** Moratorium Extended. Section 4 of Ordinance 2014-08 and Section 2 of Ordinance 2015-05, are amended to extend the moratorium until June 30, 2016, to read as follows:

Period of Moratorium. The Town Council of the Town of Loxahatchee Groves hereby declares that the moratorium shall be effective for the period through June 30, 2016, unless otherwise modified by the Town Council by ordinance.

**Section 3.** Except as amended herein, the provisions of Ordinance 2014-08 remain in full force and affect.

**Section 4.** All Ordinances or parts of Ordinances in conflict herewith are repealed to the extent of such conflict.

**Section 5.** If any Section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

**Section 6.** This Ordinance shall become effective immediately upon its passage and adoption.

**PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON FIRST READING, THIS 3<sup>rd</sup> DAY OF NOVEMBER, 2015.**

**PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN LOXAHATCHEE GROVES, ON SECOND READING AND PUBLIC HEARING, THIS 1<sup>ST</sup> DAY OF DECEMBER, 2015.**

**TOWN OF LOXAHATCHEE GROVES,  
FLORIDA**

ATTEST:

Virginia M. Walton  
TOWN CLERK

APPROVED AS TO LEGAL FORM:

[Signature]  
Office of the Town Attorney

David Browning  
Mayor David Browning

Ronald R. Jarriel  
Vice-Mayor Ron Jarriel

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Council Member

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Council Member

[Signature]  
Council Member

